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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

WADE ALAN KNIGHT,

Plaintiff,

v.

ELKO COUNTY SHERIFF'S
DEPARTMENT, *et al.*,

Defendants.

Case No. 3:16-cv-00711-MMD-VPC

ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE
VALERIE P. COOKE

Before the Court is the Report and Recommendation of United States Magistrate Judge Valerie P. Cooke (ECF No. 4) ("R&R") recommending dismissal of this action without prejudice based on Plaintiff's failure to file a non-prisoner application to proceed *in forma pauperis* after the Court directed him to do so (ECF No. 3). Plaintiff did not file an objection.

This Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party fails to object, the court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (disregarding the standard of review employed by the district court when reviewing a report and recommendation to which no objections were made). Because no objection was filed to the R&R and Plaintiff

1 clearly did not comply with the Court's previous order, the Court accepts the
2 recommendation without review.

3 It is therefore ordered, adjudged and decreed that the Report and Recommendation
4 of Magistrate Judge Valerie P. Cooke (ECF No. 4) is accepted and adopted in its entirety.

5 It is further ordered that this action is dismissed without prejudice. The Clerk is
6 directed to close this case.

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8 DATED THIS 21st day of May 2018.

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MIRANDA M. DU
UNITED STATES DISTRICT JUDGE